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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,001	07/11/2001	Mark Pratt	Pratt-02	1918
7590	06/28/2006		EXAMINER	
Michael D. Beck Baker & Daniels Suite 2700 300 N. Meridian Street Indianapolis, IN 46204			ZEENDER, FLORIAN M	
			ART UNIT	PAPER NUMBER
			3627	
DATE MAILED: 06/28/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/903,001	PRATT ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	F. Ryan Zeender	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 April 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-13 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-6, 8-11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mehdipour et al. '390 in view of Kaehler '126.

Mehdipour et al. disclose an automated payment system for a plurality of parking facilities including a central monitoring facility (Col. 19, lines 17-20), a plurality of exit gate facilities remote from the central monitoring facility controlling egress from a corresponding one of the plurality of parking facilities, payment terminals 34/52/68 having processors at each exit gate facility for assessing and receiving payment (Col. 2, line 67 through Col. 3, line 13; and Col. 19, lines 33-40), means for opening the gate at the exit upon receiving payment (Col. 2, line 67 through Col. 3, line 13; and Col. 19, lines 33-40), and data link(s) between the monitoring facility 60 and the processor(s) of the payment terminals 34/52/68 (See Fig. 2).

Mehdipour et al. lack the specific teaching of providing two-way video and audio communication between the central monitoring facility and the payment terminal, the communication including an Ethernet or Internet link; and the data link between the processor and monitoring facility permitting remote control of the processor.

Art Unit: 3627

Kaehler teaches the use of two-way audio and video communication between a monitoring facility and a payment terminal whereby the data link permits remote control of the processor.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Mehdipour et al. to include providing two-way video and audio communication between the central monitoring facility and the payment terminal, the data link between the processor and monitoring facility permitting remote control of the processor, in view of Kaehler, in order to allow the customer to initiate and complete an extended transaction (*i.e., payment for an outstanding monthly parking pass*; See *Mehdipour, Col. 3, lines 14-23*) yielding added convenience to the customer (See *Kaehler, Col. 1, lines 29-31*).

The Examiner takes Official Notice that Ethernet or Internet connections were well known in the art for communication between processors, and it would have been obvious to one of ordinary skill in the art at the time of the invention to use either one of means for communicating, in order to provide efficient and/or high speed data transmission.

Claims 3, 7, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mehdipour et al. '390 in view of Kaehler '126, as applied to claims 1, 5, and 10 above, and further view of Murphy '380.

Mehdipour et al. '390 in view of Kaehler '126 lack the specific teaching of the two-way audio video communication including an IP-addressable video camera.

Murphy teaches that it was well known at the time of the invention to use an IP-addressable video camera.

It would have been obvious to one of ordinary skill in the art to modify Mehdipour et al. '390 in view of Kaehler '126 to include specifically an IP-addressable video camera, in view of Murphy, in order to have control of the camera (See for example, Murphy, Col. 4, lines 13-44).

### ***Response to Arguments***

Applicant's arguments with respect to all claims have been considered but are moot in view of the new ground(s) of rejection. The Examiner has attempted to address all concerns that are still deemed relevant in the rejection above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Ryan Zeender whose telephone number is (571) 272-6790. The examiner can normally be reached on Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alex Kalinowski can be reached on (571) 272-6771. The receptionist's phone number for the Technology center is (571) 272-3600.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.



6/21/06

F. RYAN ZEENDER  
PRIMARY EXAMINER

F. Zeender  
Primary Examiner, A.U. 3627  
June 21, 2006